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DATE FILED: 1/9/2012

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE ALBERT ELLIS INSTITUTE,

Plaintiff,

- against -

JPMORGAN CHASE BANK, N.A.,

Defendant.
----- x

JPMORGAN CHASE BANK, N.A.,

Third-Party Plaintiff,

- against -

JEFFREY BERNSTEIN, TWO BROS, LLC and
CONSOLIDATED SERVICES, INC.,

Third-Party Defendants.
----- x

ANSWER TO THIRD-PARTY COMPLAINT

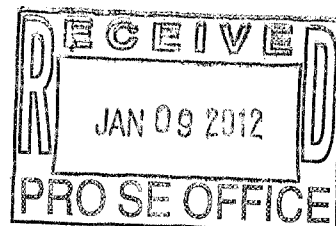
Third-Party Defendant, Jeffrey Bernstein, appearing Pro Se, as and for his Answer to the Third-Party Complaint, respectfully alleges as follows:

1. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in this numbered paragraph.

2. Admits the allegations contained in this numbered paragraph.

3. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

PRO SE OFFICE
rj



4. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

5. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in this numbered paragraph.

6. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in this numbered paragraph.

7. Upon information and belief, admits the allegations contained in this numbered paragraph.

8. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

9. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in this numbered paragraph.

10. Neither admits nor denies the allegations contained in this numbered paragraph, as the same constitutes statements of law and not of fact.

11. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in this numbered paragraph.

12. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in this numbered paragraph.

13. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

14. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

15. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

16. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

17. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

18. Admits so much of this numbered paragraph as it

refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

19. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

20. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

21. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

22. Repeats and reiterates those allegations heretofore made, with the same force and effect as if fully set forth at length herein.

23. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

24. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his

constitutional rights against self-incrimination.

25. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

26. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

27. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

28. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

29. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

30. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

31. Repeats and reiterates those allegations heretofore made, with the same force and effect as if fully set forth at length herein.

32. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his

constitutional rights against self-incrimination.

33. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

34. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

35. Repeats and reiterates each and every admission or denial heretofore alleged, with the same force and effect as if fully set forth at length herein.

36. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

37. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

38. Repeats and reiterates each and every admission or denial heretofore alleged, with the same force and effect as if fully set forth at length herein.

39. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

40. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

41. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his constitutional rights against self-incrimination.

42. Repeats and reiterates each and every admission or denial heretofore alleged, with the same force and effect as if fully set forth at length herein.

43. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

44. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

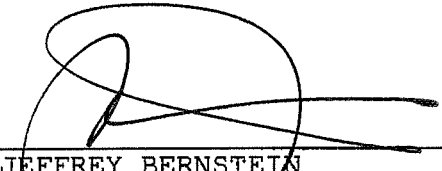
45. Admits so much of this numbered paragraph as it refers to the Complaint, and as to the balance thereof, Third-Party Defendant will not further respond, based upon the exercise of his constitutional rights.

46. Neither admits nor denies the allegations contained in this numbered paragraph, and Third-Party Defendant asserts his

constitutional rights against self-incrimination.

WHEREFORE, Third-Party Defendant demands judgment dismissing the Third-Party Complaint, together with such other and further relief as to this Court deems just and proper.

Dated: New York, New York
January 9, 2012



JEFFREY BERNSTEIN
Third-Party Defendant Pro Se
301 East 69th Street, Apt. 4J
New York, New York 10021

TO: ZEICHNER ELLMAN & KRAUSE LLP
Attorneys for Defendant/Third-Party Plaintiff
JPMorgan Chase Bank, N.A.
575 Lexington Avenue
New York, New York 10022
(212) 223-0400

MCLAUGHLIN & STERN LLP
Attorneys for Plaintiff
260 Madison Avenue, 18th Floor
New York, New York 10016
(212) 448-1100

CERTIFICATE OF SERVICE

STATE OF NEW YORK
COUNTY OF NEW YORK.

Cathy Lanyard, pursuant to 28 U.S.C. 1746 and under the penalty of perjury, says: that I am over the age of eighteen years and am not a party herein, and reside in New York County, New York and that on the 9th day of January 2012, I served a true copy of the within **ANSWER TO THIRD PARTY COMPLAINT** upon the attorneys hereinafter named at the places hereinafter stated by depositing the same, properly enclosed in post-paid, properly addressed wrappers, into the exclusive care and custody of a depository maintained and controlled by the United States Post Office for delivery by first class mail to said attorneys at their last known addressed given below:

ZEICHNER, ELLMAN AND KRAUSE LLP
Ronald Mark Neumann, Esq.
Stephen Frederick Ellman, Esq.
Yoav Michael Griver, Esq.
Attorneys for Defendant and Third Party Plaintiff
JPMorgan Chase Bank, N.A.
575 Lexington Avenue
New York, New York 10022

MCLAUGHLIN & STERN, LLP
David Blasband, Esq.
Bruce A. Langer, Esq.
Attorneys for Plaintiff
The Albert Ellis Institute
260 Madison Avenue, 18th Floor
New York, New York 10016

Dated: January 9, 2012



United States District Court

Southern District of New York

Case No. 11-5504 (GBD)(AJP)

THE ALBERT ELLIS INSTITUTE,

Plaintiff,

-against-

JPMORGAN CHASE BANK, N.A.,

Defendant.

----- x

JPMORGAN CHASE BANK, N.A.,

Third-Party Plaintiff,

-against-

JEFFREY BERNSTEIN, TWO BROS, LLC and
CONSOLIDATED SERVICES, INC.,

Third-Party Defendants.

ANSWER TO THIRD-PARTY COMPLAINT

JEFFREY BERNSTEIN
Third-Party Defendant Pro Se
301 East 69th Street, Apt. 4J
New York, New York 10021